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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,823	11/14/2003	Giusseppe Paventi	C048213/0002	2582

7590 11/17/2005

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EXAMINER
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NELSON, JAMES T

ART UNIT	PAPER NUMBER
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3637

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/713,823	<b>Applicant(s)</b> PAVENTI, GIUSEPPE	
	<b>Examiner</b> James T. Nelson	<b>Art Unit</b> 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gross (U.S. Patent 3,979,156), in view of Smith (U.S. Patent 1,582,795).

Regarding claim 1: In Fig. 11, Gross shows a display table (112) comprising: a display table top (140), a display table base (116), the table top (140) being disposed above the base (116), a plurality of legs (118) vertically extending from the base (116), but lacks a plurality of structural steel supporting members extending downwardly from the table base toward the floor, the structural steel supporting members being structurally tied to the legs with one of the supporting members extending from each of the legs, the table and the table legs being composed of a dissimilar material from the supporting members, each of the structural steel supporting members comprising a vertically extending support rod and an integral horizontally extending tubular foot member, the tubular foot member comprising a caster housing for housing a hidden caster member within while providing structural support for the display table, the caster housing comprising a horizontally extending steel plate spanning the interior thereof and a steel ball bearing caster member structurally tied to the horizontally extending plate and hidden within the housing for providing rolling support for the display

table. In Figs. 1 and 3, Smith teaches a structural steel supporting member (10) composed of a dissimilar material from the table legs, each structural steel supporting member comprising a vertically extending support rod (14) and an integral foot member (12), each foot member comprising a caster housing (11) for housing a hidden caster member (22) while providing structural support for the display table, the caster housing comprising a horizontally extending steel plate (11a) spanning the interior thereof and a steel ball bearing caster member (23) structurally tied to the horizontally extending plate (11a) and hidden within the housing (11). It would have been obvious to one of ordinary skill in the art at the time of invention to attach the casters of Smith to the legs of the display table of Gross to allow the table to be easily moved. The phrases “for displaying retail merchandise thereon” and “for providing rolling support for the display table” constitute functional language and are given no patentable weight. The phrase “horizontally extending tubular foot member” constitutes aesthetic design choice and imparts no significant structure to the claimed invention.

Regarding claim 2: In Fig. 11, Gross, as modified by Smith, shows a display table in accordance with claim 1, wherein the table dissimilar material is wood.

Regarding claim 3: In Fig. 11, Gross shows a display table in accordance with claim 1, but lacks a structural steel supporting member composed of a dissimilar material from the table legs, each structural steel supporting member comprising a vertically extending support rod and an integral foot member, each foot member comprising a caster housing for housing a hidden caster member while providing structural support for the display table, the caster housing comprising a horizontally extending steel plate spanning the interior thereof and a steel ball bearing caster member structurally tied to the horizontally extending plate and

hidden within the housing, wherein the caster member is centrally disposed in the caster housing. In Figs. 1 and 3, Smith teaches a structural steel supporting member (10) composed of a dissimilar material from the table legs, each structural steel supporting member comprising a vertically extending support rod (14) and an integral foot member (12), each foot member comprising a caster housing (11) for housing a hidden caster member (22) while providing structural support for the display table, the caster housing comprising a horizontally extending steel plate (11a) spanning the interior thereof and a steel ball bearing caster member (23) structurally tied to the horizontally extending plate (11a) and hidden within the housing (11), wherein the hidden caster member (22) is centrally disposed in the caster housing (11). It would have been obvious to one of ordinary skill in the art at the time of invention to attach the casters of Smith to the legs of the display table of Gross to allow the table to be easily moved.

Regarding claim 4: In Fig. 11, Gross shows a display table in accordance with claim 3, but lacks a structural steel supporting member composed of a dissimilar material from the table legs, each structural steel supporting member comprising a vertically extending support rod and an integral foot member, each foot member comprising a caster housing for housing a hidden caster member while providing structural support for the display table, the caster housing comprising a horizontally extending steel plate spanning the interior thereof and a steel ball bearing caster member structurally tied to the horizontally extending plate and hidden within the housing, wherein the caster member is centrally disposed in the caster housing, and wherein the ball bearing caster member has an associated diameter substantially less than the horizontal extent of the steel plate. In Figs. 1 and 3, Smith teaches a structural

Art Unit: 3637

steel supporting member (10) composed of a dissimilar material from the table legs, each structural steel supporting member comprising a vertically extending support rod (14) and an integral foot member (12), each foot member comprising a caster housing (11) for housing a hidden caster member (22) while providing structural support for the display table, the caster housing comprising a horizontally extending steel plate (11a) spanning the interior thereof and a steel ball bearing caster member (23) structurally tied to the horizontally extending plate (11a) and hidden within the housing (11), wherein the hidden caster member (22) is centrally disposed in the caster housing (11), and wherein the ball bearing caster member (23) has an associated diameter substantially less than the horizontal extent of the steel plate (11a). It would have been obvious to one of ordinary skill in the art at the time of invention to attach the casters of Smith to the legs of the display table of Gross to allow the table to be easily moved.

Regarding claim 5: In Fig. 11, Gross, as modified by Smith, shows a display table in accordance with claim 4, wherein the display table top (136) is suspended above the table base (116) and spaced therefrom by a plurality of structural steel supporting members (144) extending upwardly from the table legs (118), with one table top supporting member (144) extending upwardly from each leg (118).

Regarding claim 6: In Fig. 11, Gross, as modified by Smith, shows a display table in accordance with claim 5, wherein the table dissimilar material is wood.

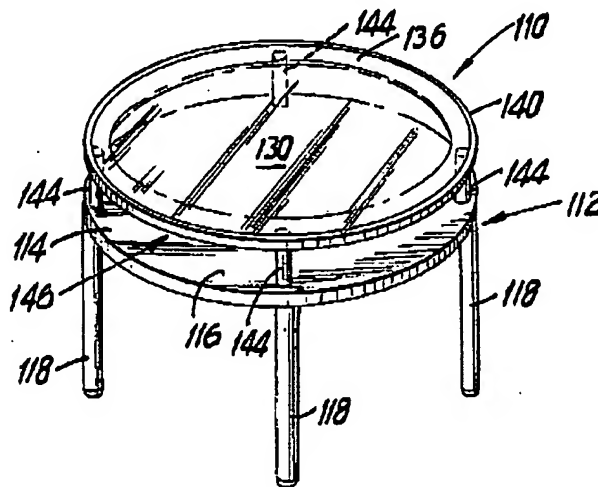
Regarding claim 7: In Fig. 11, Gross, as modified by Smith, shows a display table in accordance with claim 1, wherein the display table top (136) is suspended above the table base (116) and spaced therefrom by a plurality of structural steel supporting members (144)

Art Unit: 3637

extending upwardly from the table legs (118), with one table top supporting member (144) extending upwardly from each leg (118).

Regarding claim 8: In Fig. 11, Gross, as modified by Smith, shows a display table in accordance with claim 7, wherein the table dissimilar material is wood.

**Gross, Fig. 11**



**Conclusion**

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gamble, Bryant, Denslow, De Haven, Higgin, Pilliod, Lowry, Welsch, Worthington, Mansfield, Pfister '035, Fenney, Uhl, Kelly, Magers, Vincens, Chichester, Cox, Jay, Pfister '653, Devey, Tams, Iijima, and Steiner all show aspects of the current invention.
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James T. Nelson whose telephone number is (571) 272-1491. The examiner can normally be reached M-F 9:00am - 5:30pm.

Art Unit: 3637

5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JTN

11/8/2005

LANNA MAI  
SUPERVISORY PATENT EXAMINER  
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